[22nd July 1953

*Cases of illicit distillation in Gingee taluk, South Arcot.*

9-2 a.m. * 862 *Q.*—Sri K. ARANGANATHAN : Will the Hon. the Minister for Prohibition be pleased to state the total number of cases of illicit distillation detected in Gingee taluk, South Arcot district, during 1951–52?

The Hon. Sri V. C. PALANISAMI GOUNDER :—" The total number of cases of illicit distillation detected, in Gingee taluk, during 1951–52 (from 1st April 1951 to 31st March 1952) is 198."

Sri K. VINAYAKAM :—" What is the number of cases of illicit distillation detected during the previous year and is there a tendency for cases to increase in the current year or a tendency to decrease? "

The Hon. Sri V. C. PALANISAMI GOUNDER :—" For the information of the hon. Member, I can give the figures. In 1950–51, the number of cases detected was 107 and in 1951–52, it was 192."

Sri K. VINAYAKAM :—" So there is a tendency to increase."

The Hon. Sri V. C. PALANISAMI GOUNDER :—" It does not mean that there is a tendency to increase. It shows the efficient manner of detection."

Sri A. GOVINDASWAMI NAYAGAR :—" கள்ளச் சாராயம் காய்ச்சுவது குடிசைத் தொழிலைப் போல மிகவும் அதிகரித்துக் கொண்டே வருவது இந்த அரசாங்கத்திற்கு நன்கு தெரிந்தும் கூட, அதைத் தடுப்பதற்கு தகுந்த நடவடிக்கை எடுக்காததற்குக் காரணம் அரசாங்க நிர்வாகத்தின் திறமை குன்றி விட்டது என்பதை கனம் மந்திரி ஒத்துக் கொள்வாரா ? "

The Hon. Sri V. C. PALANISAMI GOUNDER :—" I cannot admit that it has become a cottage industry. Cottage industry is something else intended for the improvement and development of the locality concerned. But if by that question an insinuation is aimed at the Government, I am not prepared to accept that "

Sri K. ARANGANATHAN :—" Sir, I have brought to the notice of the Hon. the Minister for Prohibition several cases of corruption prevalent among the Prohibition Police force. I want to know what action has been taken and with what results? "

The Hon. Sri V. C. PALANISAMI GOUNDER :—" A separate question may be put."

*Appointment of District Munsifs.*

* 863 *Q.*—Sri V. GOPALA GOUNDER : Will the Hon. the Minister for Law be pleased to state—

(*a*) with reference to starred question No. 131-D answered on 23rd March 1953, whether applications were called for from candidates outside the High Court;

22nd July 1953]

(b) whether the principle of communal representation was observed in the appointments in this case; and

(c) how many candidates from Backward, Harijan and Muslim classes were appointed?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" (a) Recruitment of candidates for temporary appointment as District Munsifs was made from among those categories of officers who were eligible for appointment as District Munsifs by transfer. No applications were called for by the High Court but the cases of all eligible candidates were considered by the High Court.

" (b) The communal representation rule is no longer in force.

" (c) Seven persons from among Backward classes and none from among Scheduled castes and Scheduled tribes (which term includes Harijans) and Muslims were appointed. No reservation of vacancies has been made for Muslims under the rule of reservation of appointments and no candidate from the Scheduled Castes and Scheduled Tribes was available."

SRI S. DEIVASIGAMANY :—" Will the Government give us an assurance that the District Munsifs who have been appointed temporarily by the High Court will not be confirmed unless the Public Service Commission is consulted whether they are fit to be recruited as District Munsifs or not as required by the Constitution? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" The persons so appointed are not recruited as probationers in the service and are not entitled by reason of this service to any preferential claim to regular appointment to the service in future. That is the rule and the Madras Public Service Commission has to appoint Munsifs afresh."

SRI BOJJA APPALASWAMY :—" 'మెదర్యాలు' caste 'మెదర్యాలు' tribes వారిని సర్వీస్ కమిషన్ సెలక్టు చేయకపోతే సర్వీసుకు పనికిరానట్లు లెక్కా ఉంది. ఇక B.A., B.L. పాసైనవారు కూడా District Munsif కు పనికి రారా? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" If they are qualified, they will be appointed, Sir."

SRI V. R. NAGARAJAN :—" May I know whether the Government would consider the question of applying the communal representation rule always in regard to such appointments whether they are made by the High Court or the Madras Public Service Commission? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" The hon. Member knows that the communal representation rule cannot be resorted to because of the Supreme Court's judgment. But while selecting, the authority bears the fact in mind and tries to accommodate as far as possible."

SRI R. SIDDANNA GOWD :—" Was the qualification the only guiding principle in recruiting these District Munsifs or do their practice and experience they have acquired in the profession also guide the selecting authorities and form part of the qualification? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" All those form part of the qualifications."

SRI M. JAGANNATHAN :—" In view of the fact that some of the District Munsifs are found dosing during the time of argument, will the Government take care to see that Munsifs are appointed after careful medical examination? "

THE HON. SRI C. RAJAGOPALACHARI :—" The dosing is the result of the quality of the arguments." (Laughter.)

SRI R. S. ARUMUGAM :—" தகுந்த qualification உள்ளவர்கள் ஹரிஜனங்களில் யாரும் இல்லாவிட்டால், ஹரிஜன கிருஸ்துவர்களுக்கு என் அந்த உத்தியோகங்களைக் கொடுக்கக் கூடாதென்று, கனம் மந்திரி அவர்கள் சொல்வார்களா ? "

THE HON. SRI C. RAJAGOPALACHARI :—" Recognition of the primary Harijan backwardness even in a converted Christian is to a large extent done in the matter of educational concessions but not in such matters."

*Reports regarding forest offences.*

* 864 *Q*.—SRI K. KRISHNA RAO : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) whether there are any executive instructions issued to rangers and forest guards that they should as and when a forest crime is committed report invariably to a Magistrate; or whether it is left to the said forest authorities to report or desist from reporting to the Magistrates occurrences of forest crimes or breaches of forest rules; and

(*b*) whether any interval is fixed by the Government between the time of occurrence of a forest crime or breach of forest rules and the time of reporting of the same to the Magistrate; and if so, what is the period so fixed and allowed?

THE HON. DR. R. NAGAN GOUDA :—" (*a*) The general instructions issued for the guidance of the Forest Subordinates in the prosecution of forest offences, do not require that when a forest offence is committed, it should invariably be reported to the Magistrate. The District Forest Officer is empowered to decide whether the case should be prosecuted or compounded or withdrawn. If the District Forest Officer's orders are to prosecute the case is reported to a Magistrate. Also when the District Forest Officer's orders are to compound and the offenders fail to pay the compounding fee within 30 days of the date of receipt of the notices demanding the compounding fee, the case is reported to a Magistrate.

" (*b*) No, Sir."